

EXHIBIT 5

1 SUPERIOR COURT OF NEW JERSEY
2 LAW DIVISION, CIVIL PART
3 MIDDLESEX COUNTY
DOCKET NO.
A.D. # _____

4 KIMBERLY NARANJO,)
5) TRANSCRIPT
6 Plaintiff,) OF
7 vs.) MOTIONS
8)
9 JOHNSON & JOHNSON, ET AL.,) DOCKET NO. L-6108-21AS
10)
11 Defendants.)
12)
13)
14 WALTER PRESSLER, ET AL.,) DOCKET NO. L-1944-23
15 JUSTIN BERGERON, ET AL.,) DOCKET NO. L-2089-23
16 MABLE DUMAS, ET AL.,) DOCKET NO. L-2090-23
17 GEORGES EL-RAMADI, ET AL.,) DOCKET NO. L-2092-23
18 LUCILA CRUZ, ET AL.,) DOCKET NO. L-2093-23
19 GEORGE BOYLE,) DOCKET NO. L-2094-23
20 SUSAN DROLET,) DOCKET NO. L-2095-23
21 MARISA MAGEE,) DOCKET NO. L-2268-23
22 CONNIE SIMS,) DOCKET NO. L-3923-20
23 ROALIA GAGLIARDI, ET AL.,) DOCKET NO. L-3805-18
24)
25 Plaintiffs,)
vs.)
KENVUE INC., ET AL.,)
Defendants.)

Place: Middlesex County Courthouse
56 Paterson Street
New Brunswick, NJ 08903

Date: May 24, 2023
Volume 2 of 2

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1 Whether that has anything to do with -- with what Judge
2 Kaplan did or didn't do, I -- I --

3 THE COURT: No, --

4 MR. GARDE: -- don't think is before this
5 Court.

6 THE COURT: -- the issue with regard to the
7 Motion to Quash, I just want to consider --

8 MR. GARDE: Understood.

9 THE COURT: -- a little bit more. But it's
10 not going to -- I'm not going to take that much time.

11 So do you want to argue the Motion to Stay in
12 anticipation of that? Or do you want to reserve it for
13 another day?

14 MR. GARDE: I think we -- I think we need to
15 reserve it for another day when we see what Your
16 Honor's going to order, particularly with regard to
17 discovery. I'm not sure we're there yet. We may be
18 soon.

19 THE COURT: The only issue with regard to --
20 well you say a Motion to Stay discovery. So you're
21 going beyond the issue of discovery limited to
22 potentially these three individuals.

23 MR. GARDE: Depending upon what the Court
24 orders, I -- I may be. I don't know.

25 THE COURT: Well I'm not -- listen, I'm going

1 to decide whether they get these individuals or not.

2 MR. GARDE: Okay, --

3 THE COURT: If --

4 MR. GARDE: -- that's fair.

5 THE COURT: -- if they're not getting these
6 individuals, they're getting discovery.

7 MR. GARDE: Understood.

8 THE COURT: It's just not these individuals
9 to begin with. That -- that's the only thing that --
10 we're -- we're moving forward. I'm ordering discovery.

11 I'm putting together consolidation, that's going to
12 require discovery. So the only issue in the Court's
13 mind relative to the Motion to Quash is whether we
14 start with these depositions at this high level for the
15 purposes that which the plaintiff seek. Or you start
16 elsewhere. I mean you are going to start elsewhere --

17 MR. GARDE: And -- and my --

18 THE COURT: -- otherwise.

19 MR. GARDE: -- point, Your Honor, is well we
20 may take your arg -- your ruling up on the failure to
21 dismiss the -- the case -- the -- the amended
22 complaints or the new complaints. What Your Honor
23 orders with regard to discovery, we may also take up.
24 But we're not there yet.

25 THE COURT: So this Motion to Stay discovery

1 in general then, in my opinion, should be withdrawn
2 because it's premature until you get a discovery order
3 in some case; right? Until you get a case management
4 order from this Court, which would be first in the
5 context of a consolidation more likely than not, there
6 is nothing to seek discovery of unless it would be in
7 connection with the Motion to Quash the subpoenas if
8 the Court denies that application.

9 MR. GARDE: Correct. Then -- then there
10 would be an application for a stay.

11 THE COURT: Understood, which the Court would
12 deny if the Court denies the Motion to Quash.

13 MR. GARDE: As -- as I say, we're not there
14 yet today. We may get there soon, but --

15 THE COURT: Okay, well so then what are we
16 doing with the present Motion to Stay discovery?

17 MR. GARDE: Can we carry it?

18 THE COURT: To what? I -- let me look at
19 this -- the Motion to Stay discovery --

20 MR. GARDE: The Motion to Stay dis --

21 THE COURT: -- basically relied on the same
22 rationale --

23 MR. GARDE: That's correct.

24 THE COURT: -- in the Motion to Quash;
25 correct?